

REMARKS

The Office Action dated October 30, 2008 has been reviewed and carefully considered. The Examiner's indication of allowable subject matter for claim 6 is appreciated. Claim 6 is redrafted into independent form. Claims 1-15 remain pending, claims 9-12 having been withdrawn from consideration. Claims 1 and 6 are the independent claims. Reconsideration of the application, as amended and in view of the following remarks, is respectfully requested.

Item 2 of the Office Action withdraws the rejection, under 35 USC 112, second paragraph, of claim 7 and 8, based on the amendment immediately prior to the instant amendment. The rejection was based on lack of antecedent basis in the claim. However, the rejection is again stated in items 7 and 8 of the Office Action. Applicant believes that the immediately prior amendment addresses any lack of antecedent basis in the claim. Accordingly, the rejection is either withdrawn, or, Applicant believes, should be withdrawn.

Claims 1-4 and 13-15 stand rejected under 35 USC 102(b) as being anticipated by Negle (EP 1176856) (hereinafter "Negle '856").

Claim 1 recites:

the insulating material has an electrical conductivity and/or dielectric constant which is changed by adding the second material such that when it is used in the device, surface charge which gathers on the components of the device is substantially dissipated by increased electrical conductivity of the insulating material at least such that voltage flashovers are prevented between the components

In the second sentence at the top of page 3, the Office Action states that "[i]nsofar as the presence of any additional filler material (e.g. in this case the microspheres

described in para. 0029 [of Negle '856]) in any foam matrix can alter the overall electrical properties of the composite material, the Examiner concludes that the properties alluded to in Claims 1 and 2 are inherently met."

Applicant agrees that electrical properties of the insulating material are altered by the micro spheres, but disagrees with the conclusion the Office Action reaches.

The foam is heated, during its production, to cause the micro spheres, i.e., bubbles, to expand, thereby increasing the electrical resistance of the foam.

Thus, the expansion of the bubbles during foam production does not cause the electrical conductivity of the foam to increase. See Negle '856, paragraphs [0029] and [0030] (or, equivalently, U.S. Patent No. 6,498,303, col. 4, lines 23-43).

Nor does the Negle '856 foam dissipate surface charge.

Consequently, for at least the foregoing reasons, Negle '856 does not disclose or suggest:

the insulating material has an electrical conductivity and/or dielectric constant which is changed by adding the second material such that when it is used in the device, surface charge which gathers on the components of the device is substantially dissipated by increased electrical conductivity of the insulating material at least such that voltage flashovers are prevented between the components

as in the present invention of claim 1.

For at least all of the above reasons, Negle '856 does not anticipate the present invention as recited in claim 1.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1-4, 13 and 14 stand rejected under 35 USC 102(b) as being anticipated by Moore et al. (US Patent 4219791) (hereinafter "Moore").

The Office Action states, in item 10, that the "[Moore] binder has a dielectric constant which can be altered by the presence of the microspheres (col. 8, lines 30-35)."

The Summary of the Invention in Moore states, ". . . the microspheres function to reduce the dielectric constant of the resulting structure by adding gas such as air. . ." (col. 3, lines 31-33).

Moore, however, fails to disclose or suggest that its glass or fly ash microspheres cause dissipation of surface charge.

Consequently, for at least this reason, Moore fails to disclose or suggest:

the insulating material has an electrical conductivity and/or dielectric constant which is changed by adding the second material such that when it is used in the device, surface charge which gathers on the components of the device is substantially dissipated by increased electrical conductivity of the insulating material at least such that voltage flashovers are prevented between the components

as in the present invention of claim 1.

According to the above discussion, Moore fails to anticipate the present invention as recited in claim 1.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of Frantz et al. (US Patent 3670091) (hereinafter "Frantz").

Claim 5 depends from claim 2, which depends from base claim 1.

Frantz relates to the use of a somewhat flexible matrix, with gas-filled hollow phenolic or glass spheres dispersed throughout, for the relief of mechanical stresses on electrical components. See col. 1, lines 47-62. The flexible matrix does not appear to be used to either insulate or conduct electricity.

Applicant is unable to find any disclosure or suggestion in Frantz of utilizing the flexible matrix to dissipate surface charge, or any hint that the flexible matrix is capable of dissipating surface charge.

It is accordingly unclear to Applicant what motivation Frantz would have afforded to modify Moore toward resembling the present invention as recited in claim 1.

It is also unclear to Applicant how Frantz could serve to compensate for the deficiencies in Moore, or how any Moore/Frantz combination would feature that:

the insulating material has an electrical conductivity and/or dielectric constant which is changed by adding the second material such that when it is used in the device, surface charge which gathers on the components of the device is substantially dissipated by increased electrical conductivity of the insulating material at least such that voltage flashovers are prevented between the components

as in the present invention of claim 1.

For at least these reasons, claim 5, which depends from claim 1, distinguishes patentably over Moore in view of Frantz.

Reconsideration and withdrawal of the rejection is respectfully requested.

Item 5 of the Office Action states that claims 7 and 8 stand rejected under 35 USC 103(a) as being obvious over Negle '856 in view of Allen et al. (US Patent 6541534) (hereinafter "Allen").

Claims 7 and 8 depend from claim 2, which depends from base claim 1.

Allen is directed to rigid polyurethane foams with glass or polymeric microspheres. The foams are used for mechanical reinforcement. See col. 1, lines 8-16(17); and col. 12, lines 44-57. Applicant is unable to find any reference to or hint of an electrical application in Allen. Accordingly, Applicant cannot see how Allen could serve to bridge the gap between Negle '856 and the present invention as recited in claim 1.

More specifically, it is unclear to Applicant what motivation Allen would have afforded to modify Negle '856 toward resembling the present invention as recited in claim 1, or by what reasoning any Negle '856/Allen combination would feature that:

the insulating material has an electrical conductivity and/or dielectric constant which is changed by adding the second material such that when it is used in the device, surface charge which gathers on the components of the device is substantially dissipated by increased electrical conductivity of the insulating material at least such that voltage flashovers are prevented between the components

as in the present invention of claim 1.

Since claims 7 and 8 depend from claim 1, they likewise are deemed to be patentable over Negle '856 in view of Allen.

Reconsideration and withdrawal of the rejection is respectfully requested.

The first two sentences of item 13 of the Office Action suggest that claims 7 and 8 stand rejected under 35 USC 103(a) as being unpatentable over Moore in view of Allen.

Claims 7 and 8 depend from claim 2, which depends from base claim 1.

Allen is directed to rigid polyurethane foams with glass or polymeric microspheres. The foams are used for mechanical reinforcement. See col. 1, lines 8-

16(17); and col. 12, lines 44-57. Applicant is unable to find any reference to or hint of an electrical application in Allen. Accordingly, Applicant cannot see how Allen could serve to bridge the gap between Moore and the present invention as recited in claim 1.

More specifically, it is unclear to Applicant what motivation Allen would have afforded to modify Moore toward resembling the present invention as recited in claim 1, or by what reasoning any Moore/Allen combination would feature that:

the insulating material has an electrical conductivity and/or dielectric constant which is changed by adding the second material such that when it is used in the device, surface charge which gathers on the components of the device is substantially dissipated by increased electrical conductivity of the insulating material at least such that voltage flashovers are prevented between the components

as in the present invention as recited in claim 1.

Since claims 7 and 8 depend from claim 1, they likewise are deemed to be patentable over Moore in view of Allen.

Reconsideration and withdrawal of the rejection is respectfully requested.

The first sentence of item 13 of the Office Action suggests that claims 7 and 8 stand rejected under 35 USC 103(a) as being unpatentable over Allen.

As discussed immediately above, Allen does not appear to relate to electrical insulation or conduction, and, for at least this reason, does not disclose or suggest an embodiment in which:

the insulating material has an electrical conductivity and/or dielectric constant which is changed by adding the second material such that when it is used in the device, surface charge which gathers on the components of the device is substantially dissipated by increased electrical conductivity of the insulating material at least such that voltage flashovers are prevented between the components

For at least the foregoing reasons, Allen does not render obvious the present invention as recited in claim 1.

Since claims 7 and 8 depend from claim 1, they likewise are not rendered obvious by Allen.

Reconsideration and withdrawal of the rejection is respectfully requested.

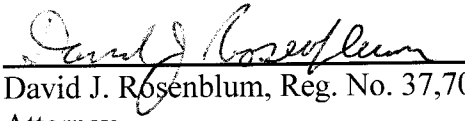
CONCLUSION

In view of the above, it is respectfully submitted that the present application is in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

The Director is hereby authorized to charge any fee which may be required, or credit any overpayment, to Deposit Account No. 50-3960.

Respectfully submitted,

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